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OGC 69-1527

OGC Subject:

11 AUG 1969

legislation, S. 78.

The Honorable Sam J. Ervin, Chairman  
Subcommittee on Constitutional Rights  
Committee on the Judiciary  
United States Senate  
Washington, D. C. 20510

My dear Mr. Chairman:

This is in reply to your letter of 1 August 1969 requesting a clarifying report on the extent to which the Central Intelligence Agency and the National Security Agency use personality tests which would be affected by the three limitations contained in S. 782. In your letter you also ask whether there have been any changes in the policies of either agency regarding the use of such tests since 1966.

We have been in touch with NSA regarding your inquiry and they will reply separately. What follows therefore pertains only to CIA.

Our standard personality (or, as we refer to it, psychological) test battery for applicants for employment is basically designed to measure intellectual, verbal and reasoning abilities, foreign language aptitudes and vocational interests. These tests are not affected by the three limitations contained in S. 782. The data derived from these tests are the basis for an initial overall judgment of the applicant's suitability for Agency service.

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It should be noted, however, that the psychological test is only one phase of a series of examinations and investigations regarding an applicant's background. These other examinations and investigations would be seriously affected by the limitations of Section 1(e) of S. 782, as would similar examinations and investigations of employees already on duty.

For example, Section 1(e) prohibits the Agency from querying an employee or applicant concerning his personal relationship with any person connected with him by blood or marriage, or concerning his religious beliefs or practices, or concerning his attitude or conduct with respect to sexual matters. This Section, without the exceptions provided in Section 6 of the bill, would prevent the Agency from questioning an employee or applicant about his personal relationship with relatives who reside in or are citizens of a foreign country. Such relationships could seriously affect the suitability of an employee for various Agency assignments. The prohibition concerning inquiry of an applicant or employee regarding his attitude or conduct with respect to sexual matters could prevent us from learning of a serious vulnerability to blackmail by a hostile intelligence service. This type of information, which in many cases can only be obtained from the applicant or employee himself, is an important factor in our ultimate judgment as to the security and reliability of an applicant or employee. Therefore we consider an exemption from these restrictions essential.

There have been no changes in the policy of the Agency regarding the use of psychological tests since 1966.

Sincerely,

**Richard Helms**  
Richard Helms  
Director

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BI2